

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. James Branch**

**Docket No. 5:15-CR-348-1H**

**Petition for Action on Supervised Release**

COMES NOW Allison G. Carlino, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of James Branch, who, upon an earlier plea of guilty to 18 U.S.C. § 922(g), 18 U.S.C. § 924(a)(2), Possession of a Firearm by a Convicted Felon, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on November 8, 2016, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

James Branch was released from custody on February 3, 2020, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

The defendant is a registered sex offender due to a conviction of Second Degree Rape. As a result, we are asking the conditions be modified to include a sex offender assessment and polygraph examinations as directed. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. At the direction of the U.S. Probation Officer, the defendant shall submit to physiological testing, which may include, but is not limited to, polygraph examinations or other tests to monitor the defendant's compliance with probation or supervised release and treatment conditions.
2. The defendant shall submit to a psycho-sexual evaluation by a qualified mental health professional who is experienced in evaluating sexual offenders and who is approved by the U.S. Probation Officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Eddie J. Smith

Eddie J. Smith

Supervising U.S. Probation Officer

/s/ Allison G. Carlino

Allison G. Carlino

U.S. Probation Officer

150 Rowan Street Suite 110

Fayetteville, NC 28301

Phone: 910-354-2548

Executed On: February 7, 2020

James Branch  
Docket No. 5:15-CR-348-1H  
Petition For Action  
Page 2

**ORDER OF THE COURT**

Considered and ordered this 11<sup>th</sup> day of Feb, 2020, and ordered filed and made a part of the records in the above case.

Malcolm J. Howard  
Malcolm J. Howard  
Senior U.S. District Judge